

RABINOWITZ, LUBETKIN & TULLY, L.L.C.

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Chapter 7 Trustee*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

CIRCLE 10 RESTAURANT, LLC,

Debtor.

Case No. 13-14820 (RG)

Chapter 7

Honorable Rosemary Gambardella

**NOTICE OF MOTION FOR ORDER
RECLASSIFYING ALLEGED SECURED CLAIM OF RELM, LLC**

TO: Joseph L. Schwartz, Esq.
Riker Danzig et al.
One Speedwell Ave.
Morristown, NJ 07962
Attorneys for RELM, LLC

PLEASE TAKE NOTICE that on **1st day of April, 2014**, at **10:00 a.m.**, or as soon thereafter as counsel may be heard, the undersigned attorneys for Jay L. Lubetkin, Chapter 7 Trustee (the "Trustee") for the bankruptcy estate of Circle 10 Restaurant, LLC (the "Debtor"), shall move before the Honorable Rosemary Gambardella, United States Bankruptcy Judge, at the United States Bankruptcy Court, 50 Walnut Street, Newark, New Jersey, for the entry of an Order reclassifying the proof of claim of RELM, LLC asserting an alleged secured claim, as set forth in the Brief filed in support hereof.

PLEASE TAKE FURTHER NOTICE that in support of the relief requested the Trustee shall rely on the Brief and Certification filed simultaneously herewith.

PLEASE TAKE FURTHER NOTICE that unless objections are timely filed and served, the motion shall be deemed uncontested in accordance with D.N.J. LBR 9013-1(a) and the relief may be granted without a hearing.

PLEASE TAKE FURTHER NOTICE that pursuant to D.N.J. LBR 9013-1(k), in the event the motion is contested, there is a duty to confer to determine whether a consent order may be entered disposing of the motion or to stipulate to the resolution of as many issues as possible.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. LBR 9013-1(i), unless the Court authorizes otherwise prior to the return date hereof, no testimony shall be taken at the hearing except by certification or affidavit.

RABINOWITZ, LUBETKIN & TULLY, L.L.C.
Counsel to Chapter 7 Trustee

By: /s/ John J. Harmon
JOHN J. HARMON

Dated: February 27, 2014

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